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SIX-DAY CYCLING.

Petitions Against Sunday Opening-

To Prevent the Copying Names of

Corporations and Step Insurance

Pools-The Municipal Code Report

ALBANY, Jan. 21.-Each House to-day

passed the bill recommended by Gov.

Odell which prohibits a domestic corpo-

ration from incorporating with the same

name as a foreign corporation authorized

to do business in this State. This is one

of the companion bills to the Krum bill,

taxing foreign corporations, which also is

As announced in THE SUN last week,

the six-day bicycle race promoters want

the time in which riders may be on the

track increased. At the instance of A. G.

Batchelder, chairman of the National Cycle

Racing Association, Assemblyman Brooks of Buffalo to-day introduced a bill amend-

ing the Collins law, which limits the time

in which a rider may be on the track to

twelve consecutive hours in one day, by

permitting the riders to race the entire

first twenty-four hours and after that they cannot be on the track more than eighteen

injurious than twelve hours.

ndent of Insurance.

Assemblyman Wilson to-day submitted to the Assembly the report of the commis-

Davies, which seeks to expedite the set-tling up of the affairs of moneyed corpora-tions which have gone into the hands of a receiver, was advanced to a third reading in the Assembly after the minority had

the Assembly after the minority had sorted to obstructive tactics in order to

A big batch of petitions from all sections

A big batch of petitions from all sections of the State was presented in the Senate to-day in opposition to Sunday opening. The first petitions to come from below the Bronx were handed in. Senator Cullen submitted one from the Moravian Church of Brooklyn. Senator Mctarren had two

Senator Hennessey to-day introduced a

bill giving the Tax Commissioners un-limited time to remit or reduce an excessive

or erroneous tax, where in the opinion of the Corporation Counsel lawful cause

These bills were introduced Senster

Marshall, providing that polsons shall be put up in hottles so corked as to apprise by the sense of the touch the person uncorking the same that the bottle contains polson. Senator Plankitt, authorizing each Justice of the New York City Court to appoint a clock at a salary of \$1,000.

point a cterk at a salary of \$1,000.

Senator Mille, providing that New York city shall pay 60 per cent of the expense of widening and improving White Plains avenue from the Mount Vernon city limits.

14th Street Blank to Blaze 15 Directors.

Bank of New York city to-day filed with the Secretary of State a certificate of in-crease of the number of its directors from tackye to fifteen. The increase was ap-proved by State Superintendent of Banks States

Norvous Dyspepsia.

of corners Apopropris. I not obtained

COL. A. G. DICKINSON, formerly the

Manager of South America for the N. Y.

immior histories of Attchemised to use their little. Valer: I am sumplishing restored to braith, and

firmly believe I one my life to "Bege Links"

FIVE GALLONS, \$1.50

ACKER MEREALL'S OF 62 NEW ST.

ALBANY, Jan 21 The Fourteenth fitreet

Gout, Gravel,

Morrie Park avenue, Brook borough

favored by Gov. Odell.

Visitors welcome.
The price of the Pisnola is but \$250,

SHOULD BE MADE TO WORK MORE, HE TELLS THE LEGISLATURE.

To Meet Objections to His First Proposal of Calling in County Judges to Help Clear Supreme Court Calendars in This City, He Adopts a Newspaper Suggestion That the Judges Are Lazy and hould Be Required to Work Longer.

ALBANY, Jan. 21.-Gov. Odell sent a spec ial message to the Legislature to-day fur-ther outlining his plans for legislation which will result in a more speedy disposition of the large Supreme Court trial calendar in New York city. The message suggests that the jury trial Judges in New York city increase their working hours. It is as

ALBANY, N. Y., Jan. 21, 1902.

Legislature:

ny last message I made a suggestion

our consideration to relation to the

ingly important matter of the speedy

tion of the large trial calendar in

y of New York, which now operates

nial of justice in many cases. It was

as a denial of justice in many cases. It was as follows:

"Your attention is also called to the overcrowded condition of the calendars in the
first and Second Judicial departments,
and action by the Legislature to remedy
the same should be taken. Perhaps the
solution of the problem might be through
a Constitutional amendment providing for
the temporary designation of County Judges
to trial terms, either within or without their
evan judicial departments, until such calenlars shall have been cleared."

My reasons for suggesting a temporary
vather than a permanent addition to the
vorking force of the Supreme Court were
founded upon information leading me to
believe it likely that the volume of litigation is to decrease rather than increase in
the near future. That, aside from actions
for personal injuries, that are said to engross
more than one-half of the time of the trial
courts, the trial work in most of the counties
of the State has diminished. Indeed, it is
said that actions of that character are solely
responsible for the choked condition of the
calendars in the great cities.

of the State has diminished. Indeed, it is said that actions of that character are solely responsible for the choked condition of the calendars in the great cities.

Recently the parties affected have wisely manifested a disposition to agree upon the compensation to be awarded those actually wronged rather than leave it to a jury to assess the damages. Already some important railroad interests have adopted the policy of settling at once whenever the legal advisers are able to give assurance that the naimant will probably succeed upon a trial. It is said by some who have tried the experiment that hear a policy inures to the benefit of a railroad or other corporation before a lary in the disgracefully frequent contests with fraudulent claimants, and the prediction has been made by careful and experiments now under way will soon lead all gorporations to adopt this policy. If that prophecy be verified, our present judgial force will soon be able to do all the work there will be to do with ease. And any permanent additions to the number of ludges would unnecessarily add to the public burdens and damage the quality of the judicary, for it is the hard-working Judge. The recent and successful experiment of Appeals by authorizing the Governor to designate Supreme Court Justices to sit in that court until the calendar be reduced to 250 cases fa condition that I am informed will be reached during the present year, suggested to my mind the idea of recruiting temporarily the trial force of the Supreme Court in the same way, viz: By designation by the Governor of Judges from the next lower round of the judicial ladder.

It did not occur to me that all County Judges were qualified for that work, any funds as the designation of Supreme Court Judges to serve in the Court of Appeals was from the next lower round of the judicial ladder.

from the next lower round of the judicial ladder.

It did not occur to me that all County Judges were qualified for that work, any more than it ever seemed to any one else that all Supreme Court Judges are fitted for work in the Court of Appeals; but there are some County Judges in this State prepared both by education and experience to sit in the Supreme Court, just as there are some Supreme Court Judges prepared by education and training in the Appellate Division to do good work in the Court of Appeals. And it seems to me that any man whom the people of this State should honor with an election to the office of Governor would select from the best, not from the least efficient, of the County Judges. The history of the past justifies such an assumption. In case of vacancy in the Court of Appeals, the Supreme Court or other courts, the Executive appoints until the people can elect a successor. When the Appellate Divisions were created, the Governor designated which of the Supreme Court Judges should serve in those courts, and whenever a vacancy occurs, upon him devolves the duty of designating a successor.

The people's few years ago so amended

in the supreme Court Judges should serve occurs, and whenever a vacancy occurs, upon him devolves the duty of designating a successor.

The people' a few years ago so amended the Constitution as to authorize the Governor to create a second division of the Court of Appeals, and the Executive upon whom that duty devolved created a court with seven members, four of whom belonged to the party opposed to him and three to his own party, although he might have created the court from members of his own party, had his sense of duty permitted it; and quite recently an Executive redesignated a member of the Appellate Division who belonged to the opposite purty when a selection could have been made which would have made a majority of the court of like political faith with himself.

Mistakes have been made in the past and will be in the future in the division of the past and will be in the future in the division of the past and will be in the future in the division of the court of the past and will be in the future in the division and his sense of the future in the division of the court of the past and will be in the future in the division and his sense of the future in the division and his sense of the future in the division and his sense of the future in the division of the court of the past and will be in the future in the division and his sense of the future in the division and his sense of the future in the division and his division an

a majority of the court of like political faith with himself.

Mistakes have been made in the past and will be in the future in the designation of judges, but they have been comparatively so few us to justify the confidence the people have reposed in the Governor in respect to the judiciary. And as the power to appoint Judges in all cases of vacancy and the power to designate them under certain conditions to sit in courts other than their own has in all instances been conferred upon the Governor, it would seem to be in accord with the will of the people that the Executive should exercise that power in the event that some members of the County Court bench should be temporarily assigned to duty in the trial branch of the Supreme Court.

These reasons prompted that feature of my message with which this paper opens, and it seemed to me to suggest the only avenue for temporary relief (which is quite likely to turn out to be all the relief needed)

But a still better method has been pointed out by the press, viz. that the remedy is in the head of the fury trial Judges of New York city that they have only to increase their working hours to cause the calendar to rapidly melt away until they shall be abreast of the work.

Attention is called to the fact that the jury

meit away until they shall be abreast of the work.

Attention is called to the fact that the jury trial Judges of the borough of Manhattan only hold court four and a half hours a day for five days in a week, which certainly suggests that it would not be a very severe strain upon them, either mentally or physically, to increase their court hours 25 per cent, until the calendar shall have been greatly reduced. So I invite your attention to this must recently proposed remedy in the hope that some way be found to put it into effective operation, either through the voluntary action of the Judges themselves or through some plan devised by you, in the event of which it would seem where to substitute such plan for the one originally proposed by me.

Recentor Martin to-day introduced a bill

Senator Martin to-day introduced a bill which is designed to discourage the encumbering of the calendar of the Supreme Court with cases brought in that court in preference to more appropriate tribunals simply in the hope of obtaining heavier costs than is possible in the court to which such classes of cases most appropriately belong. By thus relieving the calendar of the Supreme Court, the necessity for additional Justices in such court will be considerably reduced and any excuse for the suggestion of County Judges to undertake the duties of the Supreme Court, it is said, may be obviated. The bill amende Section 3728 of the Code of Civil Procedure by adding the following subdivision:

In any action at law beteafter brought Senator Martin to-day introduced a bill

by adding the following subdivision:
In any action at law hereafter brought in the Supreme fourt in which the recovery is one which a court of inferior jurisdiction had authority to allow, the plaintiff, if entitled in rocks under the provisions of the preceding subdivisions of this section, shall not be averaged as costs a larger sum than could have been awarded if the case had lagen investigated as costs a larger sum than could have been awarded if the case had lagen investigated as costs a larger sum than could have been attended within the country winers the judgment was rendered. But nothing in this subdivision shall arresine the granting of allowances under faceties \$25 of this act

JUDGES NOT LAZY, THEY THINK

Express a Tolerant horrow That the tierernor should He Misinformed One or

tion Odell's criticism of the Supreme Court Justices of this department was received more in sorrow than anger at the Court Bosse, taking the expressions of their clientiers at 5 o'clock as a fair reflex of the opinions of the eighteen members of that court in this borough a tolerant corrow for the errors of & head of the State who half spoken without due knowledge

of the conditions governing those whom he criticised. None of the Justices directly criticised the Governor, but some of them, who by common consent have come to be looked to for expressions rep-resenting the feeling of the bench, said in a quiet way, with or without circumrution, that the Governor had spoken

under a palpable misapprehension.

"I come down at 10:30 o'clock and I am here until this hour," Justice Charles H. Truax said in answer to questions. "I guess if you ask any of these Judges here you will find out how many hours a day they work. I don't think will appear that the time specified in the message corresponds with their hours of message corres Justice Truax appeared to regard the

message as too far from the mark to require serious attention. Justice Francis M. Scott displayed similar mental attitude. Answering a ques-tion as to how many hours he worked, he

tion as to how many hours he worked, he said:

"Well, I sit on the bench at trial term from 10:30 until 1 o'clock and from 2 until 4 in the afternoon. Since the first of October I have averaged four or five nights a week at work up to half past 1 o'clock at my home. The Justices from up the State who have been assigned to this department might perhaps tell you how the work done by Judges here compares in hours with that in the upper departments."

Justice P. Henry Dugro could find nothing in fact upon which the Governor's animadversions could be based. When he read that part of the message in which the Governor said of the Manhattan Judges that it would not be a very severe strain. that it would not be a very severe strain upon them, either mentally or physically, to increase their court hours 25 per cent. "until the calendar shall have been greatly reduced," Justice Dugro said:

upon them, either mentally or physically, to increase their court hours 25 per cent. "until the calendar shall have been greatly reduced," Justice Dugro said:

Why, "until the calendar shall have been greatly reduced? If it be proper and fair to require the Judges to increase their hours 25 per cent, if the Judges here areadoing less than may properly be asked of them, less than they should do, by all means let a proper amount of work be required of them. Not merely "until the calender shall be greatly reduced," but all the time. But is it a fact that the Justices work so small a part of the time? That they shirk their duties? At least one of them is supposed to have killed himself by his conscientious devotion and severe application to his labors—Justice Beekman, who was on the bench only six years. Justice Beekman was so desirous of doing his best that often he was compelled to lay a case aside for weeks for months to take it up again when his brain had had a rest at other matters so that he might solve the problems which it presented to the best of his ability and in a way which he believed to be right and which would stand. If may be that one Judge will spend fifteen minutes looking over papers and give the best decision he can off-hand while another will take two hours over a similar case. And then it may be that the first decision will be taken up to the Court of Appeals and add to the burdens there while the other decision will stand.

And there was Justice McAdam, who worked here against the advice of friends up to three days before he went upon the operating table. He was in no condition to undergo the operation, because he had continued to work here long after he should have stopped and by this he had reduced his physical condition.

The practice here has grown out of conditions. There is nothing to prevent a Judge from holding court later than the customary hours if he wishes to do so. But if he does that his other work will be blocked. The Trial Term is not his whole work. The Special Term going all

than a year. Since his resignation from the Appellate Division and his attack of typhoid fever Justice Barrett has held court only twice for terms of a month each, it was said yesterday at the Court House.

ALBANY, Jan. 21.-Gov. Odell to-day received a call from Dr. P. H. Murphy, James Owens and Gen. George B. Loud, representing the Memorial Committee, of New York city, having in charge the erection of the Soldiers' and Sailors' Monument on Riverside Drive. The committee invited the Governor to be present on May 30 on the occason of the unveiling of the monument, and the Governor promised to attend.

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BAR SAYS NO TO GOV. ODELL.

NO COUNTY JUDGES IN SUPREME COURT TERMS.

Jules Cambon, French Ambassador, Guest of the State Association -- Hornblower Would Repeal Constitutional Amendment of 1894-Omeers.

ALBANY, Jan. 21 .- At the twenty-fifth annual meeting of the New York State Bar Association, held here to-day, Former Deputy Attorney-General E. G. Whittaker, a former President of the association. offered a resolution which was adopted nnanimously, disapproving of the proposed Constitutional amendment recomnended by Gov.Odell topermit the Governor o appoint county Judges to hold Supreme Court terms.

President William B. Hornblower of New York city made the annual address, on "The State Constitution of 1894 as af-feeting Appellate tribunals." He said that he did not believe that it was at all within the contemplation of the framers of the judiciary article in the convention of 1894 hat the language which they used should have the effect of depriving the Court of Appeals of jurisdiction to consider and decide important questions of law and equity in cases where the facts are pracically undisputed while still retaining jurisdiction to consider and reverse upor juestions of admission or exclusion of evi-

Mr, Hornblower proposed a simple remedy

Amend the judiciary article of the Constitution so as to repeal the provision as to the effect of a unanimous affirmance of a finding of fact, or of a verdict not directed by the court, and so as to provide that in no case shall an appeal lie to the Court of Appeals from any judgment of unanimous affirmance by the Appellate Division, unless the case be certified up by the Appellate Division, or by the Court of Appeals itself. Any case involving questions of law of importance or doubt would then be certified up by the Appellate Division, or could be certified up by the Court of Appeals itself. The Court of Appeals would be relieved of a vast amount of litigation now going up as matter of right, involving exceptions to evidence or exceptions to a verdict directed by the court, or exceptions to a non-suit, where the questions involved are not of sufficient importance to justify a certification.

In the meantime, until such Constitu-

a certification.

In the meantime, until such Constitutional amendment could be adopted, Mr. Hornblower suggested requiring, or at least authorizing, the making of findings of fact by a trial court or referee.

To-night the Assembly chamber was thronged with those gathered to hear the annual addresses given before the State Bar, legislators and Judges by M. Jules Cambon, the French Ambassador, and by Assistant United States Attorney-General James M. Beck. Ambassador Camdon spoke on "The relations between diplomacy and public and private law." He said:

We must aim at destroying all those bar-

diplomacy and public and private law."

He said:

We must aim at destroying all those barriers between civilized nations which maintain between them a certain indefinable spirit of latent hostility—a lingering vestige of the old barbarism. In times of war we must seek to improve the condition of private individuals to a still greater degree than has been done by The Hague conference. Private property should receive the same protection in naval as in land warfare, and you will, I am sure, agree with me that the maintenance of prize laws takes from the combatants that attribute which does them the most honor, that of disinterested sacrifice in their country's cause.

Much still remains to be done; each day sees the nations grow more considerate of one another in their mutual intercourse. It is a notable fact that, after the recent happenings in China, France returned to the Chinese Government the works of art which had been shipped to her, while President Roosevelt has just restored to China a sum of \$376,000 which had been seized in Tientsin. Such generous proceedings would have greatly astonished our ancestors. The function of diplomacy is to bring forth from the universal conscience those common principles which the onward march of civilization makes it possible to introduce into the practical intercourse of nations. It is in this manner that international law, public and private, is evolved and determined, while jurisconsults later on reduce it to specific rules.

A reception was given to M. Cambon and Mr. Beek at the Fort Orange Club to which

F. Yeoman of Rochester, John Cunneen of Buffalo; Secretary, Frederick E. Wadhams of Albany: Treasurer, Albert Hessberg of

CHARITIES HEARING TO-DAY. Friends of the Present Order of Things to Turn Out in Force.

ALBANY, Jan. 21.-Gov. Odell's bill abolishing the boards of managers of State hospitals and transferring several million dollars annually to the State Commission of Lunacy, which is of his creation, will have a hearing to-morrow afternoon before the Judiciary Committee of the Senate and Assembly. There will be so large an attendance that

the hearing will be held in the Senate chamber. Every locality in the State which has a charitable or insane institution will be influentially represented. It is expected that 250 to 400 people who have given their services to the State for years in aid of its charitable work and without any compensation whatever will be on hand not to oppose Gov. Odell's economy policy in connection with these institutions, but to suggest that economies which may be desirable can be accomplished without breaking down the State's long established system for the care of i ts unfortunate

Much stress has been laid upon the fact that Gov. Odell's recommendations touching the State's institutions, especially affecting the insane hospitals, are based upon things he discovered during his past summer's tour of these institutions. It was learned to-day, however, from one of the Governor's friends that the arguments of those who oppose the abolition of the boards of managers of the institutions will be met largely through alleged startling information from Goodwin Brown, a former Democratic member of the State Commission in Lunacy, whose services to the State in that capacity, among those who know him, would not be included in the term "humane work"
The friends of the State institutions are

not unaware that the working member of the State Commission in Linuxy is William L. Parisburst of Conandaigue. Ontario county, whose political sponsor is Senator John Raines Mr. Parkhurst is the politician of the commission He is the only member of the commission who pays attention to the details of its work, and would be the guiding spirit should the control of those eleven Sigte institutions he centralized at Albany

With a litate Commission in Lunary constituted as at present it can readily be seen that it would be easy for it to take upon itself, in addition to the duties it now fulfile, the work of the 100 managers of the state hospitals who are the most reputable people living in the vicinity of the State institution affected.

ROOSEVELT HAS SCHLEY CASE

BUT DECLINES TO MAKE THE APPEAL PUBLIC.

> The Main Contention Is That the Court of Inquiry Falled to Be Influence by the Evidence in Schley's Behalf WASHINGTON, Jan. 21.-Rear Admira

Schley's appeal from the verdict of the court of inquiry, which condemned his conduct in the West Indian naval campaign, was delivered to President Roosevel to-day. Copies of an abstract for the news papers were handed to the President at the same time, but Mr. Roosevelt declined to make the abstract public or to permit any information to be furnished concerning the appeal.

The reason for this action of the President is well understood. He regards it as improper to have a paper dealing with a purely legal aspect of the Schley case placed before the country and the points made argued in the newspapers in advance of his consideration and action on the appeal.

The President's determination in this WORK OF THE LEGISLATURE. regard is said to have been influenced by the suspicion that a renewal of newspaper agitation, pending his decision of the case was counted on by Admiral Schley's ad-BILL TO PERMIT OLD STYLE OF visers.

From what was said to-day and previously it is believed that the President will adhere to his decision to refer the appeal to Attorney-General Knox for review and a report. How soon the action of the President may be expected must be a matter of mere conjecture, but that there will be no immediate disposition is evident from the fact that the appeal covers more than a hundred typewritten pages, containing about 35,000

The appeal proper is embraced in about ,000 words, and the rest of the voluminous document consists of three exhibits, one of which contains liberal extracts from the testimony. According to Admiral Schley and his attorneys the testimony quoted did not have due consideration by Admiral Dewey and Rear Admirals Benham and Ramsay in the preparation of the conclusions as to Admiral Schley's conduct.

No great stress is laid on the point made in the bill of exceptions which the Secre-tary of the Navy overruled, that the court ignored evidence favorable to Schley, falled to be influenced by the weight of evidence in Schley's behalf on certain specifications of the precept. Otherwise the appeal is an amplification of the contentions set forth in the original bill of

hours in one day. This will, it is expected exceptions.
Admiral and Mrs. Schley arrived bring the big six-day race up to the inter-Admiral and Mrs. Schley arrived in Washington this morning from Savannah where they spent the past ten days, as guests of Gen. W. W. Gordon. Soon after reaching the Richmond Hotel, his Washington residence, Admiral Schley was joined by his counsel, Isador Rayner and M. A. Teague, who came over from Baltimore, bringing with them the appeal which they had prepared in the absence of Admiral Schley in the South. Several hours were spent by Admiral Schley and Messrs. Rayner and Teague in reading the appeal and when they had signed it, Mr. Teague took it to the White House.

To newspaper men who applied to him esting and exciting pitch of three years ago and do away with team racing. The promoters say the bill is in the interests of the men and will endeavor to prove that eighteen hours of racing is no more Assemblyman Sulzberger has two bills aimed at foreign fire insurance companies. One prohibits the corporations combining to fix the rates. The Superintendent of Insurance is to write to the companies each year and inquire as to whether they are

To newspaper men who applied to him for copies of the abstract Admiral Schley said that the transmission of the appeal was an official matter and, in accordance pooling or combining to fix the rate, and if they are he shall proceed against them to annul their charters. The second bill was an official matter and, in accordance with regulations, it was for the President alone to say whether the ban of confidence should be removed as to the contents of the appeal. The same thing was said at the Schley headquarters when it was learned there that the President declined to make public the communication from Admiral Schley.

Mr Teague went to the Navy Department to-day to ascertain whether it was necesrequires any person but a salaried employer or officer of a fire insurance company who wants to write up a risk on a property to pay an annual license of \$25 to the Superin-Senator Davis and Assemblyman Fisher have introduced a bill providing that any person sent to the State Hospital for tu-

Mr Teague went to the Navy Department to-day to ascertain whether it was necessary to follow the practice of legal courtesy in furnishing to opposing counsel a copy of an appeal. In this case the opposing counsel is Capt. S. C. Lemly, the Judge Advocate General of the navy. Whatever was learned by Mr. Teague, a copy of the appeal was not furnished to the Navy Department. berculosis who is found to be suffering from pulmonary tuberculosis and for whom there can be no relief given, shall be returned to the municipality from which he is sent. The bill further provides that the municipality shall pay for the care of indigent persons

It is understood that no officer of that Department will be consulted with reference to the statements made in the appeal which is regarded as a matter dealing law and fact that can be determined by President and the Attorney-General.

to the Assembly the report of the commis-sion of municipal justices appointed to codify the laws relating to the Municipal Court of New York city. Accompanying the report were a number of bills carrying out the recommendations of the commission. The report codifies all the rules of practice before the court and the numerous laws JEROME AND EXCISE BILLS. He Wrote to Senator Wagner He Had Not Quite Determined on Ilis Plans.

The report codines all the rules of practice before the court and the numerous laws pertaining to it which have been passed by the Legislature from 1857 down to the present time. No important changes are made in the existing laws, the bills seeking to make clear the rules of practice and procedure before the court.

A bill introduced by Assemblyman Mergan ALBANY, Jan. 21 .- Senator Wagner (Dem., Brooklyn) wrote to District Attorney Jerome on Jan. 13 that he was in accord with the District Attorney's views on Sunday opening and that he would be pleased to provides for an appropriation of \$2.000 to purchase medals to be presented to he soldiers from this State in the War of the introduce any bills that Mr. Jerome might prepare on the question. Senator Wagner Rebellion, Spanish-American War and the Philippine insurrection.

The bill drawn by Attorney-General has received a letter from Mr. Jerome, under date of Jan. 20, in which he says:

"I beg to acknowledge receipt of yours "I heg to acknowledge receipt of yours of Jan 13, the answer to which I have so long delayed because as yet I have not quite determined upon my plans in regard to a bill on the matter of the excise question. I hope within a day or two to reach a definite conclusion on this subject, and will then take the opportunity to communicate with you. Be assured that I am much gratified at the interest expressed in the matter in your letter, and your kind offer to introduce and press the measure in the Senate."

M'KINLEY'S BIRTHDAY. Schoolteachers Urged to See That It Is Properly Observed.

of Brooklyn. Senator McCarren had two from the Orchard Primitive Methodist Church of Brooklyn and the First United Presbyterian Church of Brooklyn. Senator McKinney submitted petitions from the Central Islip and Hauppouge Church, the Lucian Memorial Church of Kings Park and the Methodist Episcopal Church of Southold.

Senator Hennessey to day introduced a ALBANY, Jan. 21. State Superintendent of Public Instruction Charles R. Skinner to-day sent a circular letter to local school authorities throughout the State, urging them to provide for the proper observance of President McKinley's birthday, Jan.

29, in accordance with the recent proc-lamation of the Gover. The day cannot be considered a holiday, and should not be made the special occasion for soliciting funds from school children for the erection of a monument. Our great State can be depended upon to do its share toward tills

ANGUS BEOWN KILLED Distsion Superintendent on the New York

Central Struck Hy a Tratu. ALBANY, dan 21. Angus Brown, 45 years old division superintendent of mative power on the New York Central Railroad was struck by a train at West Altsoy shortly before noon to-day and instantly killed

G. A. H. Going to Maratoga ALBANY, Jan. 21. The Council of Administration of the State G. A. R. Department roted to-day to hold the next annual e scampment at Saratoga Springs, probably on June 20 and 21

Cumberland Medals to He Struck Wantiporon dan 21 The Senate passed a bill to-day to provide bronze medgis for the survivors of the officers and crews of the United States vessels of war Cumberland. Congress and Minnesots, and for the heirs of the decessed who were on board those vessels when the Cumber-land was sunk by the Confederate ram Merrimae in Hampton Roads.

Public Building Bitts Passed WARRINGTON, Jan. 21. The Senate to-day passed these bills for public buildings. In Muncie. Ind., \$150,000; Anderson, Ind., \$150,000 Wheeling, W. Va., \$450,000, also bill appropriating \$150,000 for a home for disabled soldiers at Hot Springs, S. D. REV. DR. PARKHURST

Praises Johann Hoff's Extract.

C. H. PARKHURST.

Johann Hoff's Extract has been used from one end of the world to the other ever since 1847. It has a record that no other remedy can equal.

Johann Hoff's Extract is for people who need strength, those who are rundown and overworked. It is not a stimulant—it has no reaction, it is a true tonic, a nutrient, a food—you retain what you gain by its use. It makes healthy blood and flesh. It is of special value to women; building up the entire system and helping nature to throw off dangerous catarrhal secretions. It searches out the weak parts and strengthens them.

Dr. J. V. Littell, of Lafayette, Ind. writes: "I have prescribed Johann Hoff's Extract and find in it all the re-quirements of a true nutritive tonic and

Sufferers from nervousness find a real help in Johann Hoff's Extract. It makes strong, steady nerves by strengthening the entire system.

Dr. Walter W. Naylor, 755 S. 10th St., Philadelphia, writes: 'I have been treating a nervous woman who has been in the hands of several well known men, and after I had almost given her up I put her on Johann Hoff's Extract and cured her. She has gained ten pounds in six months." WALTER W. NAYLOR, M. D.

Johann Hoff's Extract always success- and avoid disappointment. Eisner & fully builds up the weak and debili- Mendelson Co., Sole Agents, New York.

Rev. Dr. Parkhurst, the noted tated. It is a certain cure for dyspepsia, mew York Divine, writes: "I am indigestion, loss of appetite and sleep-lessness. A wineglassfull of Johann Hoff's Extract much to my satisfaction and bodily improvement." great preventive of sickness, it keeps the little little bidness and homels in a great preventive of sickness, it keeps great preventive of sickness, it keeps the liver, kidneys and bowels in such



perfect condition that one who uses it regularly is almost immune from illness. On account of its great popularity Johann Hoff's Extract is widely imitated. Beware of cheap substitutes. Get the genuine Johann Hoff's Extract

ARGUING PHILIPPINE TARIFF Mr. Lodge and Mr. Rawlins in Support of the Respective Reports. WASHINGTON, Jan. 21. - The Senate

this afternoon took up for consideration the bill to provide reve us for the Philippine Islands, and Mr. Lodge (Rep. Mass.), chairman of the Philippine Committee, addressed the Senate. As to the general question of a tariff on articles imported into the Philippine Islands, he said, there arose differences of opinion. In the first place, if the United States should discriminate in its own favor on articles entering the islands from the United States, he principal sources of revenue in the islands would be diminished. In the second place. the same discrimination would have to be given to Spain under the fourth article of the Treaty of Paris, and that would lead to very great and serious complications. But the third objection was far broader and more fatal than the other two, and that was that if the United States discriminated in the Philippine tariff in favor of its products it would at once break down the policy of the open door. The maintenance of a non-discriminating tariff in the Philippine Islands on all articles entering those islands

was essential.

"There seems to me but one fair and intelligent way of dealing with the islands. Deal with them as they are now. When they are ready to take the Government of the islands into their own hands we shall

The committee recommended a reduction of 25 per cent. of the Dingley rates on sugar; and this, with the remission of the export rate, would reduce the tariff

on sugar about 35 per cent.
Mr. Rawlins (Dem., Utah), who had made
the minority report, addressed the Senate
in support of it. He argued that the measin support of it. He argued that the measure proposed by the majority would not tend to promote peace and order in the archipelago, but that the people there would find in its provisions a realization of their worst fears that they were to be made the subjects of despotic rule and the victims of remorseless tyranny. The policy outlined by the majority he said provided

our backs. And in the end the gory head of the republic may be raised upon a pike as a terrible warning

In the House.

Washington, Jan. 21.—Irrigation of arid lands and the Philippine question engaged the attention of the House to-day upon the second day's consideration of the Urgent Deficiency Appropriation bill. Mr. Sibley (Rep., Pa.) spoke against national aid to the irrigation scheme, and Mr. Newlands (Dem., Nev.) in favor of it. Mr. Sibley's speech was his first as a Republican, having been on the other side of the chamber in the Fifty-third and Fifty-sixth Congresses. His speech against irrigation was warmly applauded.

Messrs, Kern (Dem., Ill.), Gaines (Dem., Tenn.), Densmore (Dem., Ark.), and Greene (Dem., Pa.), all spoke against the policy of permanent occupation of the Phippines.

Mr. Vandiver (Dem., Mo.) said an item of \$500,000 for a military post at Manila

of \$500,000 for a military post at Manila was the first glimpse of light upon the policy of the Republicans toward the Philippine Islands it was to be a policy of permanent occupation under military rule General debate will probably be concluded

SCARRENGYON, Jan 21. These army orders have

been lasted passed to the first test for the and reference to the first test for the first test test test for annulument of contract from the first test test test test for annulument of contract from the first test test for the first test test for the first first test for the first first test for the first pony?
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Leave of absence granted Capt Henry A Barhour Twenty eighth Infants, sateback three
months.

These saval orders have been langed.

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Lieutenant Communitar E. F. Hayden, from Washington part to the Naval Observatory.

Our Clearing Sale Oriental Rugs

now in progress, offers many

1/2-price

Inducements. Lord & Taylor,
Broadway & 20th St.

DR. RIXEY NOMINATED.

President Names Him for Surgeon-General of the Navy.

WASHINGTON, Jan. 21.-The President sent to the Senate to-day the following nomi-

victims of remorseless tyranny. The policy outlined by the majority, he said, proposed the permanent institution of the practice of tyranny. It was difficult to see how the republic could long survive the operation of a policy so pernicious.

The Democratic proposition was that the tariff should be imposed for revenue, not for the benefit or encouragement of monopoly. The Philippine Islands could never be admitted into the select and sacred circle constituting the sisterhood of the republic. If they were retained and ruled, despotically, outside of the Constitution, as a sort of free-booting and exploiting enterprise, it would redound to the eternal disgrace and shame of the United States, and bring to it neither gold nor glory.

In conclusion Mr. Rawlins said: "Let the Ishmaelite go. Otherwise the burden of our difficulties will grow. Our means of national defence will be weakened. Taxes, like 'The Old Man of the Sea,' will hang upon our backs. And in the end the gory head of the republic may be raised upon a pike

Appellate Division Supreme Court Nos. 54, 70, 86, 81, 84, 66, 75, 68, 53, 76, 85, 86, 87, 88 Receiving Ship Vermont to Be Sold.

Washington, Jan. 21—On the recommendation of the Board of Condemnation and Survey, Secretary Long bas ordered that the old wooden receiving ship Vermont, which lay at the Brooklyn Navy Yard for reaval vessels. It will be sold to the highest listed or Army and Navy Order.

Army and Navy Order.

4 ourt of Appeals Beckines. ALBANY Jan 21 The Court of Appeal to day manded down the forces by derivations. People 68 or Aggle 7 Toler vs. Thomas 1. Feeler et al. the controlled more exampled by the controlled for the controlled fo

